

Exhibit A

IN THE STATE COURT OF DEKALB COUNTY
STATE OF GEORGIA

CAROLYN BRADSHAW,)
Plaintiff,) CIVIL ACTION
vs.) 23A00594
MICHAEL JONES and) FILE NO.: _____
ALABAMA CARRIERS, LLC,)
Defendants.) JURY TRIAL DEMANDED

COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff CAROLYN BRADSHAW states her complaint against Defendant MICHAEL JONES and ALABAMA CARRIERS, LLC as follows:

PARTIES AND JURISDICTION

1.

Plaintiff is a resident of the State of Georgia.

2.

Defendant Michael Jones (“Jones”) is a citizen and resident of the State of Alabama, whose last known address is 4843 County Road 29, Eufaula, Alabama 36027-5239 in Barbour County. Defendant is subject to the venue and jurisdiction of this Court under Nonresident Motorist Act (O.C.G.A. § 40-12-1) by virtue of the fact that Defendant operated a vehicle on the roads located in the State of Georgia and committed a tortious act in Dekalb County, State of Georgia.

3.

Pursuant to the Georgia Long-Arm Statute, O.C.G.A. § 9-10-91, this Court has jurisdiction over Defendant Jones because Defendant Jones committed the tort that is the subject of this lawsuit within the State.

4.

Defendant Jones may be served, pursuant to the Nonresident Motorist Act, (O.C.G.A. §

40-12-2) by serving the Georgia Secretary of State with the Summons, Complaint and Affidavit of Service. Plaintiff has provided said Defendant, by certified mail, a copy of the Summons, Complaint and Affidavit of Service.

5.

Defendant Alabama Carriers, LLC (hereinafter known as “AL Carriers”), is a foreign limited liability company duly organized and existing under the laws of the State of Tennessee, engaged in the business of shipping and trucking, with its principal office of business located at 2607 Brick Church Pike, Nashville, Tennessee 37207-4409. Defendant AL Carriers is a foreign limited liability company that does transact business within the State of Georgia and committed a tortious act or act of omission within the State of Georgia. Defendant AL Carriers is subject to the jurisdiction and venue of this Court after service under O.C.G.A. § 9-10-90, 9-10-91, 9-10-93, and 9-10-94, Georgia’s Long Arm Statute. Defendant AL Carriers may be served with process by serving Summons and a copy of this Complaint upon its Registered Agent, C T Corporation System, 800 S Gay Street – Suite 2021, Knoxville, Tennessee 37929-9710. Venue and jurisdiction are proper with this Court as Defendant AL Carriers is a joint tortfeasor.

6.

Defendants Jones and Alabama Carriers, LLC are joint tortfeasors and as such, venue and jurisdiction are proper in this Court pursuant to O.C.G.A. § 40-12-3 and the Non-Resident Motorist Act.

COUNT I – NEGLIGENCE OF MICHAEL JONES

7.

Plaintiff re-alleges and incorporates herein by reference paragraphs 1 through 6 above as if the same were restated herein verbatim.

8.

On February 1, 2022, Plaintiff was operating a 2021 Toyota Camry and was traveling in a safe and prudent manner southbound on I-85 in Dekalb County, Georgia.

9.

At or about that same time, Defendant MICHAEL JONES was driving a 2015 Freightliner owned by Defendant ALABAMA CARRIERS, LLC southbound on I-85 in Dekalb County, Georgia, when he negligently, recklessly, carelessly and unlawfully operated said vehicle, so as to cause it to collide with the driver's side of Plaintiff's vehicle. Defendant Jones's actions as described herein were negligent, reckless, careless and unlawful. Said collision caused injuries to the Plaintiff.

10.

At all relevant times, Defendant MICHAEL JONES owed certain civil duties to Plaintiff, and, notwithstanding those duties, the Defendant MICHAEL JONES did violate them in the following particulars:

- a. In failing to make reasonable and proper observations while driving the 2015 Freightliner or, if reasonable and proper observations were made, failing to act thereon;
- b. In failing to maintain his lane of travel in violation of O.C.G.A. § 40-6-48;
- c. In failing to make timely and proper application of his brakes in violation of O.C.G.A. § 40-6-241;
- d. In failing to observe or undertake the necessary precautions to keep the 2015 Freightliner from colliding with the Plaintiff's vehicle in violation of O.C.G.A § 40-6-241;
- e. In driving the 2015 Freightliner without due caution and circumspection and in a manner so as to endanger the person and/or property of others in the immediate vicinity in violation of O.C.G.A. § 40-6-241;

- f. In driving the 2015 Freightliner in reckless disregard for the safety of persons and/or property in violation of O.C.G.A. § 40-6-390, and,
- g. In committing other negligent and reckless acts and omissions as may be shown by the evidence and proven at trial.

11.

Defendant Jones's violations of the aforementioned statutory duties of care constitute negligence and negligence *per se*.

12.

As a direct and proximate result of the aforesaid negligence and breaches of duty by Defendant, Plaintiff suffered substantial injuries and damages including medical and other necessary expenses, mental and physical pain and suffering due to the injuries to her body and nervous system, personal inconvenience, plus an inability to lead a normal life.

COUNT II – WANTONNESS

13.

Plaintiff re-alleges and incorporates herein by reference paragraphs 1-12 above as if they were fully restated verbatim.

14.

On February 1, 2022, Defendant MICHAEL JONES operated the 2015 Freightliner owned by Defendant ALABAMA CARRIERS, LLC with a reckless or conscious disregard of the rights or safety of others, including Plaintiff.

15.

As a direct and proximate result of the aforesaid wanton conduct by Defendant MICHAEL JONES, Plaintiff suffered substantial injuries and damages including medical and

other necessary expenses, mental and physical pain and suffering due to the injuries to her body and nervous system, personal inconvenience, plus an inability to lead a normal life.

COUNT III – NEGLIGENT ENTRUSTMENT

16.

Plaintiff re-alleges and incorporates herein by reference paragraphs 1 and 15 above as if they were fully restated verbatim.

17.

Defendant ALABAMA CARRIERS, LLC negligently entrusted the 2015 Freightliner to Defendant MICHAEL JONES when they knew or should have known that Defendant MICHAEL JONES was incompetent to drive and allowed him to have access to the motor vehicle anyway. Accordingly, Defendant ALABAMA CARRIERS, LLC is liable for the negligence of Defendant MICHAEL JONES.

18.

As a direct and proximate result of the aforesaid negligence and breaches of duty by Defendant ALABAMA CARRIERS, LLC, Plaintiff suffered substantial injuries and damages including medical and other necessary expenses, mental and physical pain and suffering due to the injuries to her body and nervous system, personal inconvenience, plus an inability to lead a normal life.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays and demands as follows:

- (a) That Process and Summons issue, as provided by law, requiring Defendants to appear and answer Plaintiff's Complaint;
- (b) That service be had upon Defendants as provided by law;

(c) That Plaintiff have and recover general damages from such Defendants, as the jury deems are liable to Plaintiff, and in such an amount as the jury deems just and appropriate to fully and completely compensate Plaintiff for all of her injuries and pain and suffering, mental, physical, and emotional, past, present, and future;

(d) That Plaintiff have and recover from Defendants, special damages for past and future medical expenses and loss of income in the past and future in such an amount as shall be proven at trial;

(e) That Plaintiff have and recover from Defendants punitive damages to punish and deter Defendants and others from such reckless, wanton conduct in the future;

(f) That this matter be tried to a jury;

(g) That all costs be cast against the Defendants; and

(h) For such other and further relief as this Court deems just and appropriate.

Respectfully submitted this 7th day of February, 2023.

By: s/Archie I. Grubb, II
Archie I. Grubb, II
Attorney for Plaintiff
Georgia Bar No. 314384

Morgan & Morgan Atlanta, PLLC
408 12th Street – Suite 200
Columbus, Georgia 31901
Phone: (706) 324-1227
Fax: (706) 324-1228
agrubb@forthepeople.com

STATE COURT OF
DEKALB COUNTY, GA.
2/7/2023 3:57 PM
E-FILED
BY: Monica Gay